

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, June 10, 2024

In the matter of:
Public Hearings, Public Comment
June 10, 2024

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

Carmin C. Breonte- Chairman
Arlene Patire- Vice- Chairwoman
Carmin V. Breonte
John Easom
Paul Houllis
Kathy Rozmus- **Absent**
Salvatore Lamendola – **Absent**
Francisco Sanchez- 1st Alternate
Tony Lio- 2nd Alternate- **Absent**
Alban Gaba- 3rd Alternate
Daniel Rigoglioso- 4th Alternate- **Absent**

Appearance:

Wilfredo Ortiz, Attorney
Beth Calderone, Certified Court Reporter
Gary Paparozzi, Board Planner

Reported by Jacqueline Anello, Secretary
June 10, 2024 (Work Session) 7:00pm
Board members reviewed submitted plans for the evening's agenda

GARFIELD ZONING BOARD MEETING CALLED TO ORDER: 7:30PM

(Flag Salute)

SUNSHINE LAW: Read by Chairman Carmin C. Breonte PUBLIC LAW 1975 CHAPTER 231
"OPEN September 23, 2019, Council Chambers, City Hall Commencing at 7:30pm.

**Motion to Approve the May 13, 2024 Minutes- Arlene Patire
Second- Alban Gaba**

Alban Gaba- Aye
Francisco Sanchez- Aye
Paul Houllis- Abstain
John Easom- Abstain
Carmin V. Breonte- Abstain
Arlene Patire- Aye
Carmin C. Breonte- Aye
Minutes Approved

**170 River Drive- DISH LLC
Christopher Quinn- Attorney for the Applicant**

- In an R2 and B1 zone

- There is an existing storage building
- They are looking to install 3 antenna units
- The use is not permitted which is why they need a use variance

Robert Toms
13 Bine Street, Waldwick
Architectural Engineer

Sworn in by Beth Calderone

- Last revision date January 6, 2024
- There will be one equipment cabinet in the southeast corner on the roof, it is approximately 32" and 6' high. Off-white beige color.
- There will be one work light that is pointing directly at the cabinet. It will be on a timer. The technician comes every 4-6 weeks, when they get there, they will flip the timer on and it will turn off automatically.
- There will be three antennas which are 20" wide and 4' high.
- All the wiring will be protected with conduit.
- The antennas will all be within the footprint of the building
- They are all within the parapet wall
- You don't see much icing on the antennas
- The technicians will drive their own vehicle to the site and only come every 30-45 days.

Gary Paparozzi stated that the technicians cannot park in the parking lot because the owner put temporary storage units in the parking spaces. Technically this application should not be heard because it is in violation, but we are hearing it as a courtesy.

Wilfredo Ortiz stated that this application is currently in violation and that if the board looks favorably on it the resolution will not be issued until the violation is taken care of and the temporary storage units are removed and is asking if the applicant will waive any time constraints.

Christopher Quinn stated that the applicant will waive all time constraints.

Gary Paparozzi asked if they will battery backed up or generator.

Robert Toms stated that they will be battery backed up, there will be no generator.

Carmin C. Breonte asked if the maximum number of antennas on the building will be three (3)

- Robert Toms stated that the maximum number of antennas will be three (3)

380 Boulevard, Roseland, NJ
Radio Frequency Engineer

Sworn in Beth Calderone

- Applicant is licensed by the FCC
- Exhibit A1
 - o Page 1- map of the city showing where the proposed site is
 - o Page 2 shows the coverage. The green area shows the area of coverage and the orange area shows the unreliable areas where there will be spotty connection
 - o Page 3 shows the coverage if this specific site is not approved.
 - o Page 4 shows all the sites if they are transmitting

Carmin V. Breonte wanted to make sure that they will not interfere with our emergency services.

- **Christopher Quinn** stated that they will not interfere with the emergency services at all.

Gary Pappozzi asked if they could add more antennas to other DISH sites instead of putting them on another site.

- **Christopher Quinn** stated that adding more antennas to an existing site will not change the transmittal distance, it will remain the same.

David Karlebach

96 New Plaza

Fort Lee, NJ

Planner

Sworn in by Beth Calderone

- The building is in a B1 zone and R2 zone. The building itself is in the B1 zone but the parking lot is in the R2 zone. The building covers the entire footprint and is right on the property line.
- A use variance is required because these are only allowed in CA2 zones and the closest would be a firehouse located on Midland Avenue and it would not make sense to put it there because there are no tall buildings in that area also, they would need to construct a new tower.

Carmin C. Breonte asked if all the work will be on the roof.

- **Robert Toms** stated that the only work that would be done on the side of the building would be the conduits.

Carmin V. Breonte asked if the owner ever paints the exterior of the building, would they change the color of the antennas to match the building. He asked if there is a disconnect for the antennas.

- **Christopher** stated that they would coordinate with the landlord.

Michael Jones

President of M&K Development

Rockaway Beach, NJ

Sworn in by Beth Calderone

- He stated that there is a disconnect by the meter that is located in the building. There will also be a disconnect on the roof. The actual deck of the roof is all concrete.

Open to the public

Robert Schultz stated that every antenna he has inspected and has gone on the roof they always had locks and always had everything they needed to have.

Nobody else came forward, public session closed

Gary Pappozzi variances

1. Use variance
2. Front setback
3. Maximum height

Conditions

1. All federal, state, local constraints are waiver until all temporarily storage units are removed
2. Only three antennas will be placed
3. The conduits will run to the rear of the property

Motion to Approve- Arlene Patire- everything is up to par, as long as everything under oath the radio frequency engineer agrees to all FCC standards.

Second- Carmin V. Breonte- he thinks they worked with us, making everything clean and neat to match the building and it is needed for the community for better cell service

Alban Gaba- Aye- with all conditions from professionals

Francisco Sanchez- Aye

Paul Houllis- Aye- with all stipulations of electric running to back to the building

John Easom- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye- he does not believe it will be a detriment to the area.

Resolutions

325 Midland Avenue

499 Van Bussum Avenue- our professionals still have not received any information from the applicants professionals to have a complete application and we will not be voting on this resolution

108 Dewey Street- our professionals still have not received any information from the applicants professionals to have a complete application and we will not be voting on this resolution

60 DeWitt

Motion to Adjourn Meeting- arlene patire

Second- carmin v. breonte